

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

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In re:

GARY MERCURY and  
MARY MERCURY

Debtors.

CROSS DESIGNATION OF  
RECORD ON APPEAL AND  
OF ISSUES ON APPEAL

Chapter 11  
Case No: 99-20783

Assigned To:  
Judge Hardin

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**Designation of Record on Appeal**  
**of Appellee**

The designation of the record on appeal is acceptable.

**Counter Statement of Issues on Appeal**  
**of Appellee**

1. Did the Bankruptcy Judge properly determine that interest should begin to run in favor of South Liberty Realty Corp. from the date of the final judgment of the District Court?

Dated: June 23, 2008

GARY AND MARY MERCURY

by their attorney,

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Mark S. Swartz, Esq.  
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New City, NY 10956  
(845) 634-4673

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

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In re:

AFFIDAVIT OF SERVICE

GARY MERCURY and  
MARY MERCURY

Chapter 11  
Case No: 99-20783

Debtors.

Assigned To:  
Judge Hardin

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STATE OF NEW YORK        )  
COUNTY OF ROCKLAND    ) SS.

I, Sophie A. Dolce, being sworn, say: I am not a party to the action, am over 18 years of age and reside at Valley Cottage, New York. On June 23, 2008, I served a copy of Cross Designation of Record on Appeal and of Issues on Appeal, in a post-paid envelope, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State addressed to Joseph J. Haspel, Esq., 40 Matthews Street, Suite 107, Goshen, NY 10924.

\_\_\_\_\_/s/\_\_\_\_\_  
Sophie A. Dolce

Sworn to before me  
on June 23, 2008

\_\_\_\_\_/s/\_\_\_\_\_  
Notary Public